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IN THE UNITED STATES DISTRICT COURT
6
FOR THE DISTRICT OF ARIZONA
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9 Mi Familia Vota, et al.,

No. CV-22-00509-PHX-SRB

10 Plaintiffs,

ORDER

11 v.

12 Adrian Fontes, in his official capacity as
13 Arizona Secretary of State, et al.,

14 Defendants.

15 **AND CONSOLIDATED CASES**

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17 On November 7, 2022, the Tohono O'odham Nation, Gila River Indian
18 Community, and individuals Keanu Stevens, Alanna Siquieros, and LaDonna Jacket
19 (collectively, "Plaintiffs") filed a Complaint in this Court. (Doc. 1, 22-cv-1901, Compl.)
20 Their Complaint attacked the legality of an Arizona law, H.B. 2492. (*See generally id.*)
21 Prior to November 7, 2022, several nonprofit organizations and the United States also
22 filed lawsuits challenging the legality of H.B. 2492 under the same legal theories
23 advanced by Plaintiffs. (*See Doc. 164, 11/10/2022 Order at 3–5; see generally Doc. 304,*
24 *02/16/2023 Order.*) All these lawsuits were consolidated before this Court ("Consolidated
25 Case").¹ (*See 11/10/2022 Order.*) On September 16, 2022, Defendants State of Arizona
26 and the Arizona Attorney General (collectively, "Defendants") moved to dismiss the
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28 ¹ Plaintiffs filed an Amended Complaint on December 9, 2022. (Doc. 21, 22-cv-1901, Amended Compl.) Plaintiffs' lawsuit was consolidated into the Consolidated Case on December 23, 2022. (Doc. 29, 22-cv-1901, 12/23/2022 Order.)

1 Consolidated Case (“Consolidated Motion”). (Doc. 127, Consolidated Mot.) On February
2 16, 2023, the Court declined to dismiss all but one of the claims made in the Consolidated
3 Case. (*See* 02/16/2023 Order at 35.)

4 On December 27, 2022, Defendants moved to dismiss Plaintiffs’ Amended
5 Complaint (“Tohono O’odham Motion”). (Doc. 197, Mot.) Plaintiffs filed their Response
6 on February 9, 2023, to which Defendants replied on March 10, 2023. (Doc. 267, Resp.
7 to Mot.; Doc. 314, Reply.) In Reply, Defendants conceded that “[b]ecause the [Tohono
8 O’odham] Motion incorporates arguments from th[e] Consolidated Motion, the Court’s
9 February 16, 2023 ruling effectively disposes of the [Tohono O’odham] Motion, as well.”
10 (Reply at 2.) The Court agrees that the 02/16/2023 Order “effectively denies and
11 otherwise undercuts the grounds for dismissal identified in” the Tohono O’odham
12 Motion. (*See id.* at 3.)

13 **IT IS ORDERED** denying Defendants State of Arizona and the Arizona Attorney
14 General’s Motion to Dismiss (Doc. 197).

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16 Dated this 15th day of March, 2023.

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20 Susan R. Bolton
21 United States District Judge
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